

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3657 of 2016

Rajendra Prasad Gupta S/o Lt. Shri Dilbodhan Prasad Gupta, Aged About 53 Years Working On The Post Of Draftsman, Government Polytechnic Ambikapur, R/o Polytechnic Colony, Qtr. No. G-3, Namnakala, Ambikapur, District Surguja (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Skill Development, Technical Education And Employment Department, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, Post Office Rakhi, District Raipur (Chhattisgarh)
2. Director Technical Education Directorate Indravati Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
3. Principal Government Polytechnic Ambikapur, District Surguja (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri V.K. Pandey, Advocate
For State	:	Shri Dhiraj Wankhede, Govt. Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/08/2016

Heard on admission.

1. The transfer order is under challenge on the ground of acute medical ailment. According to the petitioner, the petitioner is a kidney patient and is required to undergo dialysis twice a week. If he is transferred from present place of posting to Surajpur, he would be deprived to take the dialysis facility.
2. Considering the ground of acute medical ailment, the case of the petitioner requires consideration by the transferring authority. It is found that the petitioner has already made a representation. The transferring authority shall assess medical condition of the petitioner and if it is found

that for undergoing dialysis, the petitioner is required to be posted at present place or at a place where dialysis facility is available, appropriate decision may be taken in the matter. The decision shall be taken within 6 weeks from the date of receipt of copy of this order.

3. Considering that no one has been posted at the place of the petitioner, for a period of 6 weeks, coercive steps shall not be taken against the petitioner.
4. With the aforesaid observation/direction, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen